

though she filed her sexual harassment case in a New York State court, the company moved to compel forced arbitration on the grounds that Federal law supersedes New York State law that attempts to protect victims of harassment from being forced into arbitration. She said:

Because of forced arbitration and [confidentiality agreements], I may never know the extent to which [this perpetrator] sexually assaulted or harassed others, [and] if LVMH retaliated against others as they did me. . . . His sexual harassment, attempted assault, and assault made me feel scared, demeaned, and ashamed. I found myself constantly agitated, distressed, and hypervigilant, preoccupied with avoiding the trauma of encountering him.

Even with her legal expertise and experience as vice president of legal affairs, she was powerless in this system. She said the company convinced her “that . . . harassment was just a by-product of being an attractive woman who works at a company with a French culture.” That is the same company running the arbitration process. That is why this bill fixes the problem.

Survivors deserve a real chance at justice, and that is what this bill does.

This bipartisan, bicameral bill would amend the Federal Arbitration Act to void all forced arbitration provisions for sexual assault and harassment survivors. Removing those provisions would give survivors their day in court, allow them to discuss their case publicly, and end the days of institutional protection of harassers.

This legislation passed with bipartisan, broad support in the House, and I hope my colleagues will join us in supporting this critical workplace reform in the Senate.

Again, I thank Senator SCHUMER and Senator GRAHAM.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, first, let me compliment my colleague from New York. Her persistence, her intelligence, her determination and passion to change the law so these injustices, which occur so many times that we don't know about, will no longer be there is so vital.

So thank you for a job well done.

Thanks to my colleague Senator GRAHAM, the lead Republican sponsor, who, when he gets behind something, it gets done. So I want him behind more things with us in the future.

And to Senator ERNST, who is not here, she has been a great leader on this as well. And when we met in my office with Senator GRAHAM, Senator ERNST was very amenable to getting this done.

It is an outrage, just an outrage, that women and men who are abused cannot seek justice, are forced to be quiet, are forced to keep the agony inside themselves. It is outrageous.

For decades, this forced arbitration has just deprived millions of people, almost all women, from basic rights to justice. We need justice in so many

areas, but when you can't seek justice when you are harassed, it is just one of the greatest marks of injustice, one of the greatest times of injustice.

The good news about this legislation is all the clauses that people already signed in their employment contracts, even when they didn't know about it, will no longer be valid. So it not only affects the future but affects those who signed in the past.

If you could ever say that any legislation is long overdue, this is it. It is time for a change. And moments from now, the Senate will finally act to make forced arbitration for sexual harassment and assault a thing of the past.

We are now going to voice vote this wonderful, needed legislation.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I will be real quick.

Senator SCHUMER, thank you for making this happen. You made sure it would come up today, we would get a voice vote.

Senator ERNST has been great.

Kirsten, it has been a hell of a ride. We talked to Microsoft about 3 or 4 years ago about this. They jumped on-board and started changing it internally.

I have heard from the Chamber. I am open-minded about making sure we don't hurt business. It does not hurt business to make sure that people who are harassed in the workplace get treated fairly. It is better for business.

I just want to say, this shows that we can function up here, that we are listening to the world as it is. So the days of taking sexual harassment and sexual assault claims and burying them in the basement of arbitration are over.

Arbitration has its place between business. It can be a good thing. But when you sign a document—multiple pages—just to get a job, you really don't know what you are signing. We are saying, you are not going to sign away your life in terms of having your day in court if somebody treats you poorly. You still have got to prove your case. The defendant has robust due process rights, which they should, but the abuse of arbitration that perpetuates sexual harassment and sexual assault in the workplace is soon to be done away with.

Thank you, Senator SCHUMER.

Thank you, Senator GILLIBRAND.

And to all of my colleagues on the Republican side, thank you.

This is not bad for business. This is good for America.

VOTE ON H.R. 4445

Mr. SCHUMER. Call the question.

The PRESIDING OFFICER. Under the previous order, the clerk will read the title of the bill for the third time.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4445) was passed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Max Vekich, of Washington, to be a Federal Maritime Commissioner for a term expiring June 30, 2026.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mrs. SHAHEEN. Mr. President, I come to the floor today to support three extraordinarily qualified Department of Defense nominees: Melissa Dalton, to be Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs; Dr. David Honey, to be Deputy Under Secretary of Defense for Research and Engineering; and Dr. Celeste Wallander, to be Assistant Secretary of Defense for International Security Affairs.

These three individuals have been nominated to serve in critical national security positions, and they are tasked with confronting those challenges of national security and securing U.S. interests at home and abroad.

As a senior member of the Armed Services Committee, I attended the committee nomination hearings for all three nominees, and I came away convinced that all three were qualified for their positions and deserving of swift confirmation.

Melissa Dalton previously served as a career civil servant in various positions at the Department of Defense—for a decade—under both President Bush and President Obama. So she had bipartisan support, clearly, in that position. She also was a senior fellow and director at the Center for Strategic and International Studies.

If confirmed, one of Ms. Dalton's core responsibilities as Assistant Secretary for Homeland Defense would be overseeing the Department's ability to operate through impacts to critical infrastructure, an area in which we have increasingly seen our adversaries are trying to exploit, particularly through cyber attacks. As Ms. Dalton has said, the resilience of our capabilities and infrastructure at home strengthens deterrence of aggression abroad, and DOD must be able to demonstrate its resilience.

The recent news of increased threats from Russia's cyber attacks, associated with their unprecedented troop buildup near Ukraine, underscores the need for this position to be filled as quickly as possible.

I also want to express my support for Dr. David Honey, who has dedicated a lifetime of service to the defense of this country. Dr. Honey has served in various research and development positions at the Department of Defense, including roles at the Defense Advanced